

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

OMEGA US INSURANCE, INC., §
Plaintiff, §
§
v. § **CIVIL ACTION NO. 4:12-cv-01484**
§
JERRY HEITZMAN § **JURY**
CONSTRUCTION, et al. §
Defendants. §
§

ORDER

Pending before the Court is *Defendants Steve Mostyn and Amber Mostyn's Motion for Attorney's Fees for the Necessity of Filing of Defendants' Motion to Dismiss First Amended Complaint for Declaratory Judgment under FRCP Rules 12(b)(1) and 12(b)(6)*, and the Court having reviewed the Motion, any response thereto, the record and applicable law, finds that Defendants' Motion should be granted; accordingly, it is;

ORDERED that the *Defendants Steve Mostyn and Amber Mostyn's Motion for Attorney's Fees for the Necessity of Filing of Defendants' Motion to Dismiss First Amended Complaint for Declaratory Judgment under FRCP Rules 12(b)(1) and 12(b)(6)*, is GRANTED; and it is;

FURTHER ORDERED, that Plaintiff Omega US Insurance, Inc., shall pay ____ days from the signing of this Order, Defendants Steve Mostyn and Amber Mostyn attorney's fees in the amount of \$_____.

SIGNED this _____ day of August, 2012.

The Honorable Sim Lake
United States District Judge